



STATE PROCUREMENT OFFICE
EMERGENCY PROCUREMENT REQUEST

STATE PROCUREMENT OFFICE
 STATE OF HAWAII

'11 JAN 27 P12:29

1. TO: Chief Procurement Officer
 2. FROM: DOT/HARBORS/OAHU DISTRICT

Department/Division/Agency

Pursuant to §103D-307, HRS, and Subchapter 10, Chapter 3-122, HAR, the Department requests approval for the following:

3. Date 12/20/2010
 4. After the fact ☒ YES ☐ NO
 5. Nature of the Emergency
 HEAVY RAIN ON DECEMBER 19, 2010 FLOODED IMPOUNDED FISHING VESSELS, JUDY K (3,500 GALLONS) AND SEA EAGLE (5000 GALLONS) THROUGH DETERIORATED AREAS IN THE SUPERSTRUCTURE. ADDITIONAL HEAVY RAIN WAS FORECAST IN THE NEXT 24 HOURS. ADDITIONAL HEAVY RAIN AND FLOODING WOULD HAVE SIGNIFICANTLY INCREASED THE POTENTIAL FOR SINKING AND THE POSSIBLE RELEASE OF POLLUTANTS TO THE HARBOR WITH THE ATTENDANT PUBLIC HEALTH RISKS.

6. Vendor: MARINE SURVEYORS & CONSULTANTS
 Address: 720 SOUTH STREET, #181
 HONOLULU, HI 96813
 7. Price:
 \$1,884.82

8. Description of goods, services, or construction to be purchased
 PUMP IMPOUNDED FISHING VESSELS JUDY K AND SEA EAGLE.

9. Reason for Vendor Selection
 VENDOR WAS PREVIOUSLY CONTRACTED FOR CUSTODIAL CARE AND WAS FAMILIAR WITH VESSEL. IMMEDIACY OF THE ISSUE PRECLUDED SOLICITING ADDITIONAL BIDS.

10. Direct questions to: BILL DAVIS Phone: 587-2057

11. I certify that the information provided above is to the best of my knowledge, true and correct.

Department Head

Date

Reserved for SPO Use Only

12. Chief Procurement Officer's comments:

SEE CPO COMMENTS ATTACHED AS PAGE 2.

13.

- ☐ APPROVED ☒ DISAPPROVED ☐ NO ACTION REQUIRED

Chief Procurement Officer Date 4/7/2011

14. E.P.No. 11-027-D

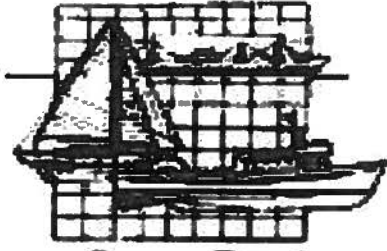
CPO COMMENTS:

Request is disapproved as it does not meet the requirements of an emergency procurement and is not an appropriate use of the emergency procurement provision. The department impounded the vessel in 2006, was under custodial care by contract until February 2010 at which time the department decided not to continue the contract. This situation is the consequence of poor management and oversight. The emergency procurement process is not to be used to rectify a situation that was preventable. Emergency procurement is to address unanticipated serious situations that require immediate action by a governmental agency that may affect the health and safety of the general public.

Mr. Bill Davis the contact person is responsible for this procurement. He does not have written delegated procurement authority nor has he taken the appropriate required mandatory procurement training even after being reminded and as a condition of the approval in the CPO Comments for PV 09-065-C/D dated 12/02/09 which states, “. . .approved with the understanding that Messrs. Davis . . . shall not conduct or participate in any procurement activities until they have attended the required procurement training workshops.” When written delegation of procurement authority is granted, it is understood that the personnel involved in procurement activities are responsible and accountable for their action. Additionally, applicable procurement training ensures that personnel receive appropriate training to fulfill their responsibilities when conducting/participating in procurement.

Even though the prior procurement violation stipulated Mr. Davis “shall not conduct or participate in any procurement activities” he continued and conducted an inappropriate procurement. This is a procurement violation and the department shall submit form SPO-016 and a final reminder that Mr. Davis shall not conduct or participate in any procurement activities until the requirements of Procurement Delegation No. 2010-01 and Procurement Circular No. 2010-05 as appropriate, have been met.

The department is reminded that when a procurement violation has occurred, the department head shall determine whether any corrective action is necessary to remedy the situation or prevent its recurrence. In addition, to any civil or criminal penalty allowed by law, the CPO may impose a decision, such as reduction or rescission of delegated procurement authority or an administrative fine.



Marine Surveyors and Consultants, Ltd.
720 South St #181
Honolulu, Hawaii 96813
Office 808 545-1333
Fax 808 531-7772
Marsurv808@gmail.com

INVOICE

December 20, 2010

Invoice No: 11351

To: Mr. Bill Davis
Dept. of Transportation, Harbors Division
Pier 11, Gallery
700 Fort Street Mall
Honolulu, Hawaii 96813-4808

Mr. Davis,

On Monday, 12-20-10, Sea Eagle was found to have substantial water in bilges from heavy rains the day before, Sunday 12-19-10. Rain water lowered the vessel enough for sea water to enter into hull from rusted hull penetrations forward. Approximately 5000 gallons of water was removed from hull between 830 am and 1:30 pm.

Location: Honolulu Harbor

Services:

8:30 am: Mobilize pumps and equipment
9:00 am: Start pumping vessel "Sea Eagle". Pumping and monitoring of equipment.
1:30 pm: Pumping complete. Secure pumps.

Labor Charges: \$1000.00
Tax: \$ 47.12
Total: \$1047.12

Note: Charges waived for pumps and equipment.

Terms: Please forward payment within 15 days.

Interest rate at 1% per months on all accounts over 30 days.

Payment Received:



Marine Surveyors and Consultants, Ltd.
720 South St #181
Honolulu, Hawaii 96813
Office 808 545-1333
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Marsurv808@gmail.com

INVOICE

December 20, 2010
Invoice No: 11352

To: Mr. Bill Davis
Dept. of Transportation, Harbors Division
Pier 11, Gallery
700 Fort Street Mall
Honolulu, Hawaii 96813-4808

Mr. Davis,
On Monday, 12-20-10, Judy K was found to have substantial water in main bilge from heavy rains the day before, Sunday 12-19-10. Several leaks in deck contributed to water in bilge. Approximately 3500 gallons of water removed from Judy K between the hours of 2:00 pm and 6:00 pm.

Location: Honolulu Harbor

Services:

2:00 pm: Mobilize pumps and equipment
2:30 am: Start pumping vessel "Judy K". Pumping and monitoring of equipment.
6:00 pm: Pumping complete. Secure pumps.

Labor Charges: \$800.00

Tax: ~~\$ 37.69~~

Total: \$837.69

\$37.70 tax rate 4.712%
70

Note: Charges waived for pumps and equipment.

Terms: Please forward payment within 15 days.

Interest rate at 1% per months on all accounts over 30 days.

Payment Received: